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DIGEST OF OTHER RECENT VIRGINIA DECISIONS.**Supreme Court of Appeals.**

Note.—In this department we give the syllabus of every case decided by the Virginia Supreme Court of Appeals, except of such cases as are reported in full.

ADAMS et al. v. TIDEWATER RY. CO.

Jan. 30, 1908.

[60 S. E. 129.]

1. Railroads—Private Crossings—Proceeding to Compel Construction.—Under the express terms of Code 1904, § 1294b2, where owners of farm land through which a railroad was constructed requested the company, in writing, to construct specified wagon ways across the right of way for the convenient use of the land, and, the request being ignored, after 10 days they gave formal notice of an application for the appointment of a commission to determine whether the roadways should be constructed, they were entitled to such appointment, though the request upon the company called for eight roadways and the notice designated only two.

2. Same—Scope of Statute.—Code 1904, § 1294b2, requiring railroad companies to construct wagon ways across their roads, where they pass through one's land, applies alike to completed railroads and those in process of construction.

WEBB'S TRUSTEE v. LYNCHBURG SHOE CO.

Jan. 30, 1908.

[60 S. E. 130.]

1. Bankruptcy—Statutory Provisions—Purpose of Bankruptcy Act.—The purpose of the bankrupt act (Act July 1, 1898, c. 541, 30 Stat. 546 [U. S. Comp. St. 1901, p. 3422]) is the relief of the bankrupt from his debts and an equal distribution of his assets among his creditors and to provide a remedy against every act by which a failing debtor seeks an unequal distribution.

2. Same—Preferences—Transfers with Intent to Defraud Creditors—Fraudulent Intent.—Bankr. Act July 1, 1898, c. 541, § 67e, 30 Stat. 564 [U. S. Comp. St. 1901, p. 3449], provides that all conveyances or transfers of his property, made by a person adjudged a bankrupt under the provisions of the act, within four months prior to the filing of the petition, with the intent to hinder or delay his creditors, shall be null and void as against the creditors. Held, that the debtor's intent to hinder or delay his creditors of itself renders his transfer void, regardless of whether his transferee had knowledge of his intent.

3. Same—Fraudulent Intent—Question for Jury.—The intent and